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/1

ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0007 – Hollow at
Slaughter Creek Zoning, Phase A

Z.A.P. DATE: April 5, 2011
May 3, 2011

ADDRESS: 9900 – 9948 Hundred Year Oak Drive; 1300 – 1324 Tillerfield Trail; 9900 –
10048 Wading Pool Path

OWNER: Pulte Homes
(Brent Baker)

AGENT: Carlson, Brigrance and
Doering, Inc. (Geoff Guerrero)

ZONING FROM: I-RR; I-SF-4A **TO:** SF-4A **AREA:** 7.63 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant single family residence – small lot (SF-4A) district zoning.

ZONING & PLATTING COMMISSION RECOMMENDATION:

April 5, 2011: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO MAY 3, 2011*

[P. SEEGER; D. TIEMANN – 2ND] (4-0) G. BOURGEOIS – ABSTAIN; 1 VACANCY ON THE COMMISSION

May 3, 2011:

ISSUES:

A private agreement between Centex Homes and Texas Oaks South Neighborhood Association (TOSNA) was executed prior to March 6, 2007, the date that the original Preliminary Plan was approved by the Zoning and Platting Commission. The agreement included a provision regarding the delivery of drainage plan which states: "At the time of submission of its construction plans for the project, Centex agrees to provide a copy of its drainage plan to TOSNA's designated engineer". A copy of the signed agreement is attached to the back of the Staff report. The Applicant's representative has stated that the construction plans were sent to TOSNA's attorney in June 2007. The construction plans were approved by the City on March 31, 2009. In mid-April 2011, the Applicant's representative contacted the president of TOSNA about sending the approved drainage report to their designated engineer.

DEPARTMENT COMMENTS:

The subject property is platted and under construction for 55 single family residential lots, one drainage easement lot and one landscape easement, and zoned interim – rural residence (I-RR) and interim – single family residence small lot (I-SF-4A) districts upon annexation into the City limits in 2008. Access to the subdivision is taken by way of Genoa Drive and

Slaughter Creek Drive. The property is adjacent to other platted single family residential sections of the Hollow at Slaughter Creek subdivision to the east and south (I-SF-4A and under consideration for SF-4A zoning), convenience storage to the west (County) and undeveloped property to the north (DR). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Vicinity Map).

The Applicant proposes to zone the lots to the single family residence small lot (SF-4A) district to be consistent with the plat. SF-4A zoning is appropriate given the size and setbacks of the platted lots, and is consistent with the interim zoned SF-4A portions of the Hollow at Slaughter Creek.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR; I-SF-4A	Single family residences – under construction
<i>North</i>	DR	Undeveloped
<i>South</i>	I-RR; I-SF-4A	Single family residences – under construction
<i>East</i>	I-SF-4A	Single family residences – under construction
<i>West</i>	CS-CO; County	Convenience storage; Undeveloped

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- 26 – Far South Austin Community Association
- 242 – Slaughter Lane Neighborhood Association
- 360 – Texas Oaks South Neighborhood Association
- 627 – Onion Creek Homeowners Association
- 645 – Swansons Ranch Road Neighborhood Association
- 742 – Austin Independent School District
- 786 – Home Builders Association of Greater Austin
- 1037 – Homeless Neighborhood Association
- 1075 – League of Bicycling Voters
- 1113 – Austin Parks Foundation
- 1200 – Super Duper Neighborhood Objectors and Appealers Organization
- 1224 – Austin Monorail Project
- 1228 – Sierra Club, Austin Regional Group

SCHOOLS:

- Casey Elementary School
- Paredes Middle School
- Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0098 – Apogee Workshop – 9704 Swansons Ranch Road	SF-1 to NO-MU	To Grant NO-MU	Approved NO-MU (12-17-09).
C14-00-2027 – Texas Oaks Baptist Church – 9910 Block of Bilbrook Place	I-RR to LO	To Grant SF-6 as Staff recommended	Approved SF-6-CO with the CO for 2,000 trips (9-7-00).
C14-94-0129 – Slaughter Lane Development – Slaughter Creek Drive	DR; SF-2 to LI	To Grant CS-CO with CO prohibiting the following uses on Tracts 1 and 2: adult- oriented businesses, financial services, food sales, general retail sales (convenience), medical offices, restaurant uses (all types), and vehicle storage on Tract 2, and 2,000 trips	Approved CS-CO as Staff recommended (2- 9-95).

RELATED CASES:

Zoning cases C14-2011-0007 and C14-2011-0008 consist of contiguous platted lots within Section 1 of the Hollow at Slaughter Creek subdivision as well as an unplatted portion of the subdivision.

The property was annexed into the full purpose jurisdiction of the City of Austin on December 31, 2008 and assigned I-RR and I-SF-4A district zonings.

The property is platted as Lots 1-57 Block B of The Hollow at Slaughter Creek, Section 1, a small lot subdivision recorded on March 12, 2008 (C8J-06-0124.01.1A). Please refer to Exhibit B.

A Preliminary Plan for The Hollow at Slaughter Creek (Revised Preliminary Plan) was filed on March 28, 2007 and approved by the Zoning and Platting Commission on August 21, 2007 (C8J-06-0124.01). The Plan is composed of 214 single family residential lots, two landscape lots, two drainage easement lots, one water quality lot and one emergency access lot. Please refer to Exhibit C. Because a complete subdivision application was filed with the City before the date the annexation proceedings were instituted, the Applicant has

continuation of land use rights, as outlined in Section 43.002 of the Texas Local Government Code.

ABUTTING STREETS:

Name	ROW	Pavement	Classification / Daily Traffic
Wading Pool Path	50 feet	30 feet (by plat)	Local / Not built
Slaughter Creek Drive	62.5 feet	22 feet	Collector / Not available
Genoa Drive	70 feet	42 feet	Collector / Not available
Hundred Year Oak Drive	50 feet	30 feet (by plat)	Local / Not built
Middlefield Court	50 feet	30 feet	Local / Not built
Canopy Creek Way	50 feet	30 feet	Local / Not built
Tillerfield Trail	50 feet	30 feet	Local / Not built
Meadowsouth Lane	50 feet	30 feet	Local / Not built

- There are no existing sidewalks along Slaughter Creek Drive or Genoa Drive.
- According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Slaughter Creek Drive, Meadowsouth Lane, Wading Pool Path, Tillerfield Trail, Hundred Year Oak Drive, or Genoa Drive.
- Capital Metro bus service (route no. 10) is available north of the site along West Slaughter Lane.

CITY COUNCIL DATE: May 12, 2011

ACTION:

ORDINANCE READINGS: 1st

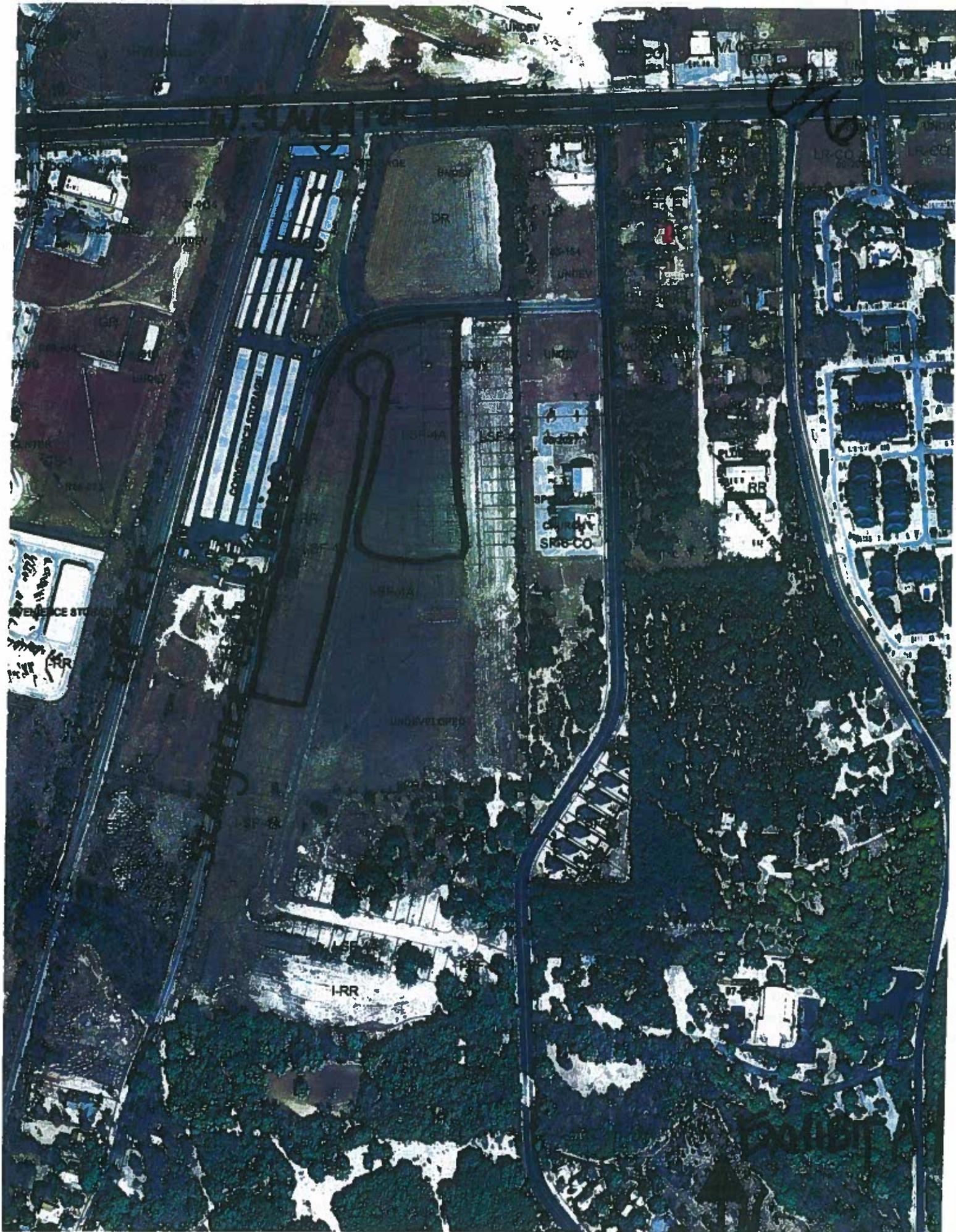
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



THE HOLLOW AT SLAUGHTER CREEK SECTION 1 A SMALL LOT SUBDIVISION

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SCALE: 1" = 100'

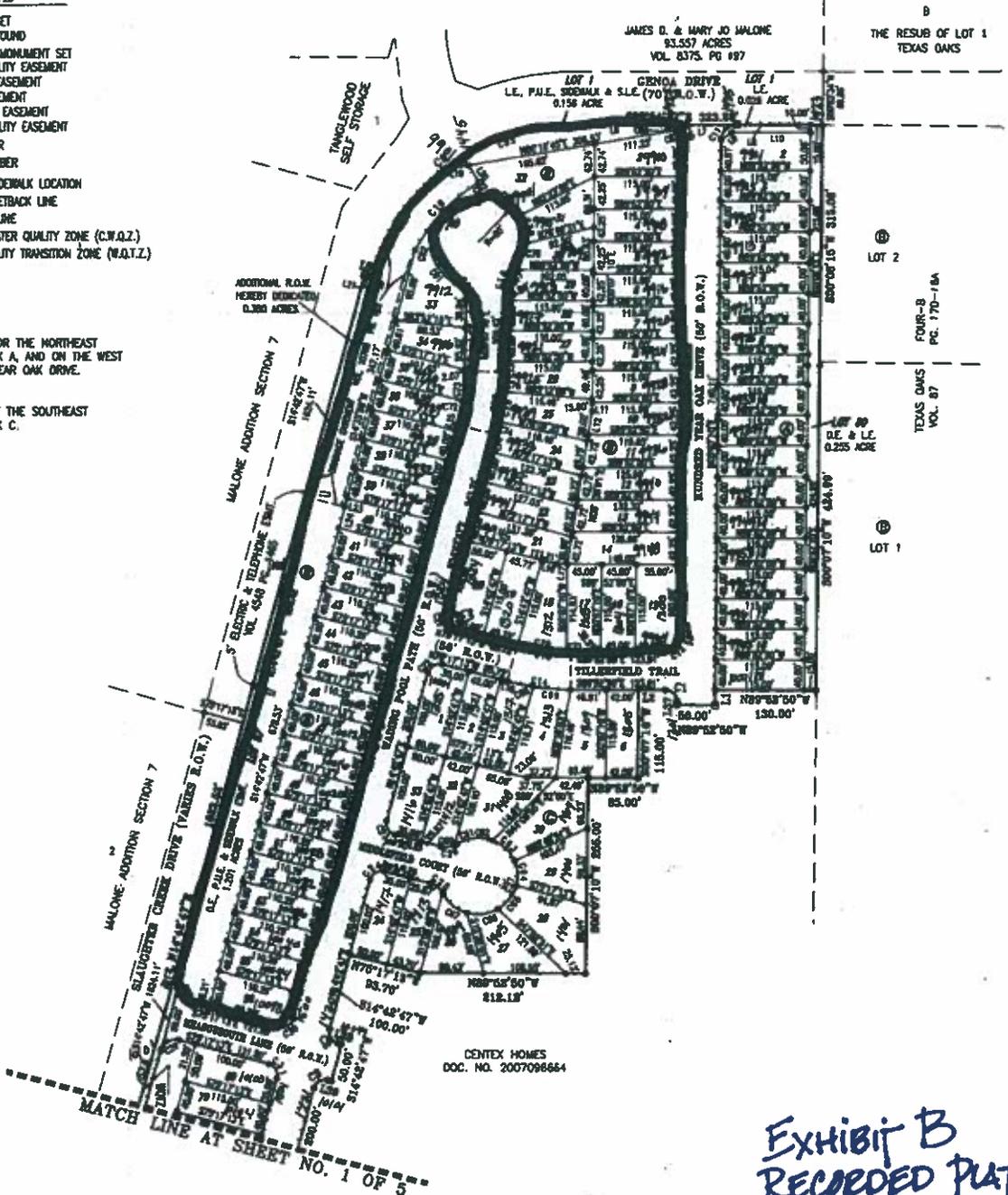
LEGEND

- IRON PIN SET
- IRON PIN FOUND
- CONCRETE MONUMENT SET
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- W.E. WATER EASEMENT
- S.L.E. SIGHT LINE EASEMENT
- W.Q.E. WATER QUALITY EASEMENT
- 1 LOT NUMBER
- Ⓐ BLOCK NUMBER
- APPROX. SIDEWALK LOCATION
- BUILDING SETBACK LINE
- - - EASEMENT LINE
- - - CRITICAL WATER QUALITY ZONE (C.W.Q.Z.)
- - - WATER QUALITY TRANSITION ZONE (W.Q.T.Z.)

BENCHMARKS:

ATOP AN IRON ROD SET FOR THE NORTHEAST CORNER OF LOT 48, BLOCK A, AND ON THE WEST ROW LINE OF HUNDREDD YEAR OAK DRIVE. ELEVATION=675.60

ATOP AN IRON ROD SET AT THE SOUTHEAST CORNER OF LOT 28, BLOCK C. ELEVATION=676.49



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Exhibit B
RECORDED PLAT
SHEET NO. 2 OF 6

CBD Carlson, Brignace & Doering, Inc.
Civil Engineering & Surveying
 2201 West Williams Canyon Drive • Austin, Texas 78740
 Phone (512) 252-2400 • Fax (512) 252-2420

C2
/9**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant single family residence – small lot (SF-4A) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The single family residence small lot (SF-4A) district is intended as an area for moderate density single-family residential use, with a minimum lot size of 3,600 square feet. In appropriate locations, small lot single-family use is permitted under standards that maintain single-family neighborhood characteristics.

2. *Zoning changes should promote compatibility with adjacent and nearby uses, and should not result in detrimental impacts to the neighborhood character.*

SF-4A zoning is appropriate given the size and setbacks of the platted lots, and is consistent with the interim zoned SF-4A portions of the Hollow at Slaughter Creek.

EXISTING CONDITIONS**Site Characteristics**

The tract is in the initial phases of construction and slopes gently to the south. The recorded plat shows a drainage easement, public utility easement and sidewalk easement that parallels Slaughter Creek Drive and Genoa Drive.

Impervious Cover

The maximum impervious cover allowed by the SF-4A zoning district would be 55%, which is based on the more restrictive watershed regulations described below. The percentage of impervious cover on a subdivision-wide basis is 41%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and

impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

C2
11

Site Plan and Compatibility Standards

The Declaration of Covenants, Conditions and Restrictions for Hollow at Slaughter Creek is recorded in Travis County Document #2008010936.

C2
/12

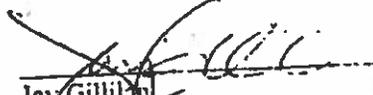
AGREEMENT BETWEEN CENTEX HOMES, INC. and TEXAS OAKS SOUTH NEIGHBORHOOD ASSOCIATION ("TOSNA"), AUSTIN, TEXAS

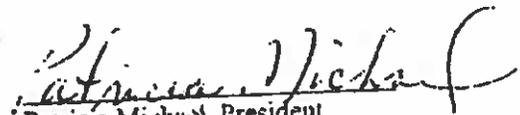
1. **Billbrook Place:** TOSNA would agree to not oppose the approval of Centex's existing preliminary site plan for The Hollow at Slaughter Creek Drive, Case No. C8J-06-0124, or to seek further extensions at the ZAPCO hearing scheduled for Tuesday, March 6 or the Commissioners Court hearing. If Centex's preliminary plan is approved at those hearings, Centex commits to submitting a revised preliminary plan that would eliminate the Billbrook Place curb cut within ten (10) days following the approval of its existing preliminary plan at the Commissioners Court hearing. The proposed changes to be included in the revised preliminary plan are shown in the drawing attached to this agreement. Centex likewise agrees to pursue approval of the variances required to adopt its revised preliminary plan in good faith and with diligence. TOSNA agrees not to seek a delay or continuance of Centex's request for approval of its revised preliminary plan. The parties' agreements hereunder are enforceable by specific performance.
2. **Detention Pond Path:** Centex will install a pedestrian path within the detention pond area, with two access points on Canopy Creek Way, as well as benches. The access points will be located at the Water Drainage Easement and through a lot (which lot will no longer contain a single family residence).
3. **Trees:** The lot referenced in paragraph 2 above for the access to the pedestrian path will be the lot on which tree that TOSNA has referred to as the "80-inch tree" is located (tree #7044 on Centex plan showing trees proposed for retention or removal). Centex will also develop around the tree TOSNA claims has historical significance.
4. **Buffer Trees:** Centex will allocate a budget for and plant at least one tree in the rear yard of each lot that is adjacent to Slaughter Creek Drive to provide a buffer from the railroad tracks. Centex proposes to plant trees that are one and a half inch in diameter and approximately 6 to 8 feet tall.
5. **Delivery of Drainage Plan:** At the time of submission of its construction plans for the project, Centex agrees to provide a copy of its drainage plan to TOSNA's designated engineer.

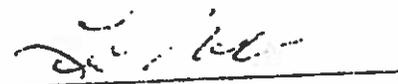
Upon approval of this written agreement by TOSNA and Centex, the parties agree that the terms of this agreement will be announced on the record at the City of Austin Zoning and Platting Commission meeting and the Travis County Commissioner Court meeting regarding Centex's application for approval of its current preliminary site plan. Individuals residing in Texas Oaks South who wish to speak against approval of the current preliminary site plan will do so in their individual capacities, not on behalf of TOSNA. The representatives of TOSNA represent that they have entered into this agreement based on the majority opinion expressed by TOSNA members who expressed

C2/13

opinions by means of email or in person prior to the meeting of the City of Austin Zoning and Platting Commission on March 6, 2007.


Jay Gillilan
Director of Land Acquisition
Centex Homes


Patricia Michael, President
TOSNA


Leslie McCollom, Secretary
TOSNA